

3615
1 BILL NO. S-77-04- 22

87-77

2 SPECIAL ORDINANCE NO. S-77-87

3 AN ORDINANCE approving a contract between
4 International Harvester Company
5 and the City of Fort Wayne, by and
6 through its Department of Public Safety,
7 for fire protection.

8
9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
10 WAYNE, INDIANA:

11 SECTION 1. The contract, dated March 26, 1977, between
12 the City of Fort Wayne, by and through its Mayor and Board of
13 Commissioners, Department of Public Safety, and International
14 Harvester Company for fire protection from the Fort Wayne Fire
15 Department on specified grounds outside the city limits, described
16 as follows, to-wit:

17 All buildings and improvements of IHC located in an
18 area bounded by New Haven Avenue on the North; Meyer
19 Road on the East; Penn Central RR Tracks on the South
20 and Coliseum Boulevard on the West (including the
21 buildings facing on Pontiac Street extended), with the
22 exception of the ND Warehouse property (Harback Realty
23 Co.) located on the SE corner of the above area, which
24 said area is visually shown outlined in red on Exhibit
25 "A" attached hereto and made a part hereof.

26 The said buildings and improvements, which are collect-
27 ively referred to as "the premises" hereafter in this
28 contract, are reflected for tax purposes upon the assess-
29 ed value of \$1,112,530; \$3,840,836 and \$57,460 issued by
30 the Adams Township Assessor's Office.

31 SECTION 2. The cost to International Harvester Company
32 shall be the sum of \$56,567.21, which amount shall be deposited
33 into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns
34 Statutes Annotated Sec 48-6176.

35 SECTION 3. Said contract is on file in the Office of
36 the Board of Public Safety and is by reference incorporated herein,
37 and made a part hereof, is hereby in all things ratified, confirm-
38 ed and approved.

39 SECTION 4. This Ordinance shall be in full force and
40 effect from and after its passage and approval by the Mayor.

41 *William J. O'Byrne*
42 Councilman

43 APPROVED AS TO FORM
44 AND LEGALITY,

W. A. M.
45 CIT. ATTORNEY

Read the first time in full and on motion by Hingga, seconded by Islario, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 4/26/77

Charles W. Atkinson
CITY CLERK

Read the third time in full and on motion by Hingga, seconded by Hunter, and duly adopted, placed on its passage.

PASSED ~~(LOSE)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>			
<u>BURNS</u>	✓				
<u>HINGA</u>	✓				
<u>HUNTER</u>	✓				
<u>MOSES</u>	✓				
<u>NUCKOLS</u>	✓				
<u>SCHMIDT, D.</u>	✓				
<u>SCHIMDT, V.</u>	✓				
<u>STIER</u>	✓				
<u>TALARICO</u>	✓				

DATE: 5-10-77

Charles W. Atkinson
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) 87-77 ORDINANCE (RESOLUTION) No. 3-77-87 on the 10th day of May, 1977.
ATTEST: (SEAL)

Charles W. Atkinson
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of May, 1977, at the hour of 4:30 o'clock P M., E.S.T.

Charles W. Atkinson
CITY CLERK

Approved and signed by me this 16th day of May, 1977, at the hour of 2:30 o'clock P M., E.S.T.

Ronald E. Armstrong
MAYOR

Bill No. S-77-04-22

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
approving a contract between International Harvester Company and the
.City of Fort Wayne, by and through its Department of Public Safety, for fire
protection

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

WILLIAM T. HINGA - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

VIVIAN G. SCHMIDT

PAUL M. BURNS

FREDRICK HUNTER

William T. Hinga

James S. Stier

Vivian G. Schmidt

Paul M. Burns

Fredrick Hunter

5-10-77 CONCURRED IN
DATE

CHARLES W. WESTERMAN, CITY CLERK

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 26th day of March, 1977, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor and Board of Commissioners. Department of Public Safety, ("CITY") and INTERNATIONAL HARVESTER COMPANY, a corporation having a place of business in Adams Township, Allen County, Indiana ("IHC").

WHEREAS, IHC is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of IHC located in an area bounded by New Haven Avenue on the North; Meyer Road on the East; Penn Central RR Tracks on the South and Coliseum Boulevard on the West (including the buildings facing on Pontiac Street extended), with the exception of the ND Warehouse property (Harback Realty Co.) located on the SE corner of the above area, which said area is visually shown outlined in red on Exhibit "A" attached hereto and made a part hereof.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon the assessed value of \$1,112,530; \$3,840,836 and \$57,460 issued by the Adams Township Assessor's Office.

and, WHEREAS, IHC desires to be assured that fire protection by CITY is available at the premises above-described:

NOW, THEREFORE, the parties agree as follows:

1. From March 26, 1977 until March 25, 1978, upon the receipt of CITY'S Fire Department of a notification or signal that there is a fire on the premises above-described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, IHC shall pay to CITY the sum of One and One Thousand Two-Hundred Eighty Nine Thousandths Dollars (\$1,1289) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements hereinabove identified as the premises. The improvement hereinabove identified having an assessed valuation of \$5,010,826, the sum owing under this contract is \$56,567.21. Said sum shall be payable as follows: \$28,283.60 upon execution of this contract; and, the balance on or before September 26, 1977.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect IHC buildings, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and IHC operations on the premises, so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

(4) Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

INTERNATIONAL HARVESTER COMPANY

By Russell H. Meyer
Russell H. Meyer
Plant Manager

ATTEST:

G. R. Plotts
G. R. Plotts
Plant Comptroller

CITY OF FORT WAYNE, INDIANA

By Robert E. Armstrong
Robert E. Armstrong, its Mayor

ATTEST:

Charles W. Westerman
Charles W. Westerman, Clark

BOARD OF COMMISSIONERS,
DEPARTMENT OF PUBLIC SAFETY

By Albert N. Hepler
Albert N. Hepler, Chairman

By William L. Kerr
William L. Kerr, Member

By Solon Jennings
Solon Jennings, Member

ATTEST:

John C. Lewton
John C. Lewton, Executive Secretary

I hereby certify that the foregoing contract was ratified
and approved by the Common Council of the City of Fort Wayne, Indiana,
on May 10, 1977.

Charles W. Westerman
Charles W. Westerman, Clerk

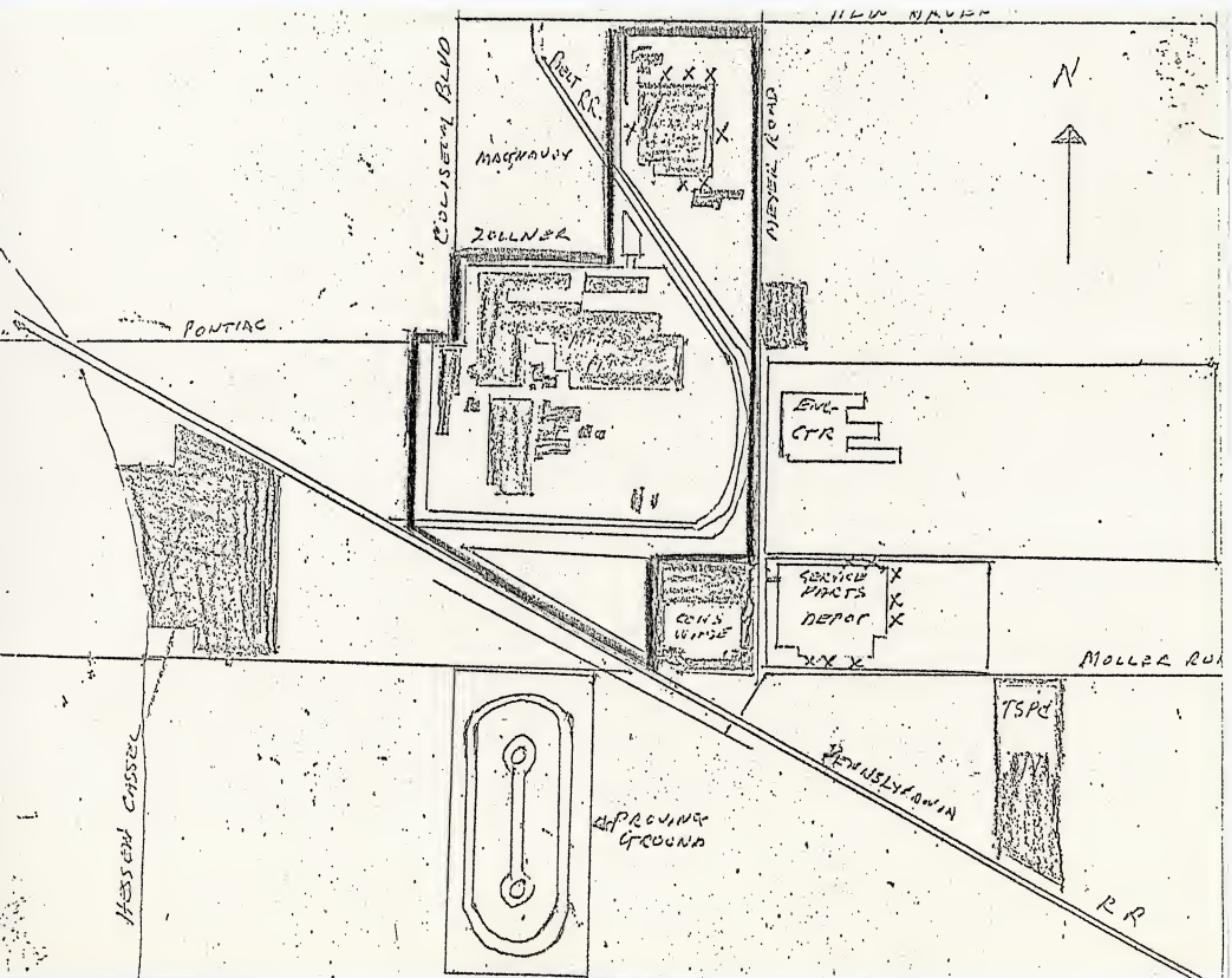


TABLE OF ODDITANCE.

DEPARTMENT REQUESTING ORDINANCE Office of Emergency Services

J.77-04-22
-1. Harvester and the

SYNOPSIS OF ORDINANCE A Fire contract with International Harvester and the city of Fort Wayne. This will provide fire protection for International Harvester which is located outside the city limits.

EFFECT OF PASSAGE The fire department would receive \$56,567.21 which would be utilized to purchase fire equipment.

EFFECT OF NON-PASSAGE The fire department would lose \$56,567.21.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)

ASSIGNED TO COMMITTEE